

US EPA ARCHIVE DOCUMENT

RESOURCES

**EPA Audit Policy and Protocols**

www.epa.gov/compliance/incentives/auditing

EPA Information on Environmental Management Systems

www.epa.gov/compliance/incentives/ems/

EPA Region 4 Compliance Assistance and Incentives

www.epa.gov/region4/ead/compliance/

EPA Compliance Assistance

www.epa.gov/compliance/assistance/

Compliance Assistance Centers

www.assistancecenters.net

National Compliance Assistance Clearinghouse

<http://cfpub.epa.gov/clearinghouse/>

EPA Pollution Prevention Information

www.epa.gov/oppt/p2home/index.htm

Pollution Prevention Resource Exchange

www.p2rx.org/

Small Business Compliance Policy

www.epa.gov/compliance/incentives/smallbusiness

Small Business Resources

www.epa.gov/smallbusiness/

Environmental Protection Agency

Region 4
61 Forsyth Street
Atlanta, Georgia 30303

www.epa.gov/region4

Bear Creek Georgia



The U.S. Environmental Protection Agency's Audit Policy



NOTE: The Audit Policy applies to only federal regulations. However, your state may have a similar policy or statute.

EPA's Audit Policy

Background:

The purpose of the Environmental Protection Agency's (EPA) Audit Policy, technically known as *Incentives for Self Policing: Discovery, Disclosure, Correction, and Prevention of Violations* (Notice, 65 F.R. 19618, April 11, 2000), is to enhance protection of human health and the environment by encouraging regulated entities to **voluntarily discover and promptly disclose and correct violations**.

The incentives of the policy include:

- Elimination (100%) or reduction to the gravity-based component of the civil penalty, and
- Determination not to recommend criminal prosecution of the disclosing entity.

The policy also restates the Agency's long-standing practice of not routinely requesting copies of a regulated entity's audit report to trigger a federal enforcement investigation.

Use of this policy also provides other unstated benefits such as:

- Avoiding future legal complications and costs;
- Establishing of a good working relationship and record with regulatory agencies; and
- Doing the right thing;

Audit Policy's Process

Process:

There are nine conditions to EPA's Audit Policy. The policy should be reviewed for a complete discussion of these conditions and their relationship to the incentives. However, at its most basic level, the process is easy! Just follow these three steps:

- Discover
- Disclose
- Correct

Discover:

EPA encourages companies to evaluate compliance with environmental regulations through self audit programs or a compliance management system (i.e., a documented systematic effort appropriate to the size and nature of the business). Discovery of a violation through either of these methods is acceptable to EPA.

Disclose:

Voluntarily disclose the violation to EPA in writing within 21 days of discovery.

Correct:

Correct the violation and any associated environmental damage within 60 days of discovering it. If the correction requires additional time, contact EPA to develop a schedule.

Need Help Getting Started, Consider...

Environmental Management Systems:

An Environmental Management System (EMS)

- Is part of the overall practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining a company's environmental policy;
- Focuses on environmental management practices rather than activities; and
- Provides the structure by which certain activities, *including compliance assurance* and pollution prevention, can be carried out.

EPA's Auditing Protocols:

EPA has developed a series of environmental Auditing Protocols to assist the regulated community in developing self-audit programs to evaluate compliance with environmental requirements under federal laws/regulations.

The protocols are intended solely as guidance in this effort. The regulated community's legal obligations are determined by the terms of any applicable environmental facility-specific permits and/or underlying statutes, as well as the applicable state and local laws.

The protocols are most effective if used by individuals with some working knowledge of regulations.